



Bexar County, Texas. Pursuant to the provisions 28 U.S.C. §§1441 and 1446, Defendant removes this action to the United States District Court for the Western District of Texas, San Antonio Division, which is the judicial district and division in which the action is pending.

2. Plaintiff contended in the State Court civil action that it suffered real and personal property damages resulting from a product defect on July 12, 2018. A copy of Plaintiff's First Amended Petition filed in the State Court civil action is attached hereto as Exhibit "A."

3. On October 9, 2020, Defendant filed its Original Answer in the State Court civil action, and a copy of the answer is attached hereto as Exhibit "B."

4. Defendant attached all process, pleadings, and orders in the State Court action which have been served upon them, as required by 28 U.S.C. §1446(a), as Exhibit "C."

### **JURISDICTION AND VENUE**

5. The action is a civil action of which this Court has original jurisdiction under Title 28 U.S.C. §1332 (Diversity Jurisdiction), and is one which may be removed to this Court pursuant to Title 28 U.S.C. §1441. There is complete diversity of citizenship amongst the parties.

6. Plaintiff is an insurance company headquartered in Northbrook, Northfield Township, Cook County, Illinois.

7. At the time suit was filed, and at the time of this removal action, Defendant was a corporation with its main place of business in Montpelier, Williams County, Ohio.

8. At the time suit was filed, and at the time of this removal action, Co-Defendant Samsung Electronics America, Inc. was a corporation with its main place of business in Ridgefield Park, Bergen County, New Jersey. *See* Exhibit "A."

9. At the time suit was filed, and at the time of this removal action, Co-Defendant Samsung Electronics Co., Ltd. was a South Korean multinational electronics company headquartered in the

Yeongtong District of Suwon, Gyeonggi Province, South Korea. *Id.*

10. At the time suit was filed, and at the time of this removal action, Co-Defendant Hose Assemblies, Inc. was a corporation with its main place of business in Mishawaka, Penn Township, St. Joseph County, Indiana. *Id.*

11. At the time suit was filed, and at the time of this removal action, Co-Defendant SLB Corporation, d/b/a Hose Assemblies was a corporation with its main place of business in Mishawaka, Penn Township, St. Joseph County, Indiana. *Id.*

12. Plaintiff's Illinois citizenship is diverse to Defendant's Ohio citizenship, Samsung Electronics America, Inc.'s New Jersey citizenship, Samsung Electronics Co., Ltd.'s foreign citizenship, Hose Assemblies, Inc.'s Indiana citizenship, and SLB Corporation, d/b/a Hose Assemblies' Indiana citizenship.

13. Defendant consents to this removal action.

14. Venue is proper in the Western District of Texas, San Antonio Division, because this district and division embrace Bexar County, Texas, the place in which the State Court action is pending.

15. The amount in controversy exceeds the sum of Seventy-Five Thousand and 00/100 Dollars (\$75,000.00), exclusive of interest and costs. Plaintiff alleges damages and monetary relief in excess of One Hundred Thousand and 00/100 Dollars (\$100,000.00), but not in excess of Two Hundred Thousand and 00/100 Dollars (\$200,000.00). *Id.*

16. This Notice of Removal is filed within 30 days of Defendant's receipt of the Plaintiff's First Amended Petition, and within one year of the commencement of the action, so it is timely filed under 28 U.S.C. §§1446 (b)(3) and 1446(c).

17. Additionally, this court would have original subject matter jurisdiction of this action

under the provisions of 28 U.S.C. §1332 if the action had originally been brought in Federal Court. Accordingly, Defendant may properly remove the State Court action pursuant to 28 U.S.C. §1441.

18. Defendant served written notice on Plaintiff of the filing of this Notice of Removal and has also served a true and correct copy with the State Court, as required by 28 U.S.C. §1446(d).

Respectfully submitted,

**DEAS & ASSOCIATES**

**Mailing Address:**

P.O. Box 64093

St. Paul, Minnesota 55164-0093

**Physical Address:**

9601 McAllister Freeway, Suite 910

San Antonio, Texas 78216

Telephone: (210) 525-2100

Facsimile: (855) 848-0737

Email: CRhodes2@Travelers.com

E-Service Only: EServSana@Travelers.com

/s/ Christopher L. Rhodes

CHRISTOPHER L. RHODES

State Bar No. 16812750

**ATTORNEY FOR DEFENDANT**

**WINZELER STAMPING COMPANY**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on October 9, 2020, I electronically filed the foregoing with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of below in the manner specified, either via CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic filing.

Paul Vigushin  
Law Offices of Paul Vigushin, P.C.  
2201 N. Central Expy., Suite 115  
Richardson, Texas 75080

**Via Facsimile: (972) 705-9922**

Garett A. Willig  
Michael S. Beckelman  
Wilson, Elser, Moskowitz, Edelman & Dicker, L.L.P.  
909 Fannin St., Suite 3300  
Houston, Texas 77020

**Via Facsimile: (972) 705-9922**

/s/ Christopher L. Rhodes  
CHRISTOPHER L. RHODES